

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
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**W15a**

**Prepared August 20, 2003 (for September 10, 2003 hearing)**

**To:** Commissioners and Interested Persons

**From:** Diane Landry, District Manager  
Dan Carl, Coastal Planner

**Subject: Santa Cruz County LCP Major Amendment Number 1-02 Part 1 (Planned Unit Development Ordinance)** Proposed major amendment to the Santa Cruz County certified Local Coastal Program to be presented for public hearing and Commission action at the California Coastal Commission's September 10, 2003 meeting to take place at the Eureka Inn, 518 Seventh Street, in Eureka.

## Summary

Santa Cruz County is proposing to add a planned unit development (PUD) ordinance to its certified Local Coastal Program (LCP) Implementation Plan (IP, also known as the LCP zoning code). PUDs allow for the development of projects that don't necessarily meet all development standards of the underlying zone districts (e.g., for heights, setback, density, etc.), but that are otherwise consistent with underlying LCP objectives. The intent of PUDs is generally to foster more creative designs, including mixed use projects, that might not ordinarily be pursued due to the rigidity of zoning district standards. Implicit in such projects is that they generally seek to satisfy some larger community goal or objective; in this case, per the County, to provide additional affordable housing in a community where the housing is exceptionally expensive.

In general, PUDs can be an effective planning tool that can foster more appropriate development than might be allowed otherwise, particularly on oddly configured and constrained properties when they are considered as part of a larger PUD project. The proposed LCP sections provide a general PUD framework, but lack specificity, particularly in the way the PUD process relates to coastal permit and LCP amendment processes. The proposed text also states that PUDs are allowed in residential districts, and also in the Special Use ("SU") zone district. Allowing PUDs in SU could result in development that is inconsistent with the LUP. In order to address these concerns, and others similar to them, modifications are suggested to clarify the ordinance text; specify that it applies to residential districts only; ensure that other LCP process and policy requirements are not suspended in a PUD; and make a series of other similar changes to ensure that the proposed text is consistent with the certified LUP.

**With the identified modifications, staff recommends that the Commission find that the proposed LCP amendment is consistent with and adequate to carry out the policies of the LUP. As so modified, staff recommends that the Commission approve the LCP amendment.**



**California Coastal Commission**

September Meeting in Eureka

Staff: D.Carl Approved by:

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## I. Staff Recommendation – Motions and Resolutions

Staff recommends that the Commission, after public hearing, approve the proposed amendment only if modified. The Commission needs to make 2 motions in order to act on this recommendation.<sup>1</sup>

### 1. Denial of Implementation Plan Major Amendment Number 1-02 Part 1 as Submitted

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in rejection of the amendment and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**Motion (1 of 2).** I move that the Commission **reject** Part 1 of Major Amendment Number 1-02 to the Santa Cruz County Local Coastal Program Implementation Plan as submitted by Santa Cruz County.

**Resolution to Deny.** The Commission hereby **denies** certification of Part 1 of Major Amendment Number 1-02 to the Santa Cruz County Local Coastal Program Implementation Plan as submitted by Santa Cruz County and adopts the findings set forth in this staff report on the grounds that, as submitted, the Implementation Plan amendment is not consistent with and not adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures which could substantially lessen any significant adverse effect which the Implementation Plan Amendment may have on the environment.

<sup>1</sup> Note that the motions and resolutions refer to “Part 1 of Major Amendment Number 1-02.” The reason for this is that this amendment request is part 1 of a three part LCP amendment submitted by the County. In other words, LCP amendment number 1-02 is in three parts. The other two parts of the amendment, regarding agricultural second units and a Watsonville-area utility prohibition zone, are also separately before the Commission at the September hearing.



2. Approval of Implementation Plan Major Amendment Number 1-02 Part 1 if Modified  
Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the amendment with suggested modifications and the adoption of the following resolution and the findings in this staff report. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**Motion (2 of 2).** I move that the Commission **certify** Part 1 of Major Amendment Number 1-02 to the Santa Cruz County Local Coastal Program Implementation Plan if it is modified as suggested in this staff report.

**Resolution to Certify with Suggested Modifications.** The Commission hereby **certifies** Part 1 of Major Amendment Number 1-02 to the Santa Cruz County Local Coastal Program Implementation Plan if modified as suggested and adopts the findings set forth in this staff report on the grounds that, as modified, the Implementation Plan amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment if modified as suggested complies with the California Environmental Quality Act because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment; or (2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Implementation Plan Amendment may have on the environment.

## II. Suggested Modifications

The Commission hereby suggests the following modifications to the proposed LCP amendment, which are necessary to make the requisite Land Use Plan consistency findings. If the County of Santa Cruz accepts each of the suggested modifications within six months of Commission action (i.e., by September 10, 2004), by formal resolution of the Board of Supervisors, the corresponding amendment will become effective upon Commission concurrence with the Executive Director's finding that this acceptance has been properly accomplished. Where applicable, text in ~~cross-out~~ format denotes text to be deleted and text in underline format denotes text to be added.

1. **Modify Proposed IP Sections.** Modify proposed Implementation Plan Sections 18.10.180, 18.10.181, 18.10.183, 18.10.184, 18.10.185 and 18.10.332 as shown in exhibit D. Text in ~~cross-out~~ format denotes text to be deleted and text in underline format denotes text to be added.

## III. Findings and Declarations

The Commission finds and declares as follows:



## A. Proposed LCP Amendment

### 1. Description of Proposed LCP Amendment

The amendment would add Sections 18.10.180, 18.10.181, 18.10.183, 18.10.184, 18.10.185 and 18.10.332 to the County's LCP IP. These sections allow planned unit developments (PUDs) to be pursued with the County coastal zone, and specify the way in which PUDs would be reviewed by the County. See exhibit A for the Board of Supervisor's resolution, exhibit B for the Board staff report, and exhibit C for the adopted ordinance with the text of the proposed sections.

### 2. Effect of Changes Proposed

The LCP currently provides for some PUD-like flexibility. However, it is generally limited to new land divisions (LCP Policy 13.10.323(d)(1)) where the parcels on the periphery of the subdivision must conform to the underlying zone district standards, but the standards can be varied for the interior lots. The intent of this policy is to allow for creative design, like the PUD, but with the added assurance that impacts on abutting properties are limited. The LCP does provide a variance procedure, but this procedure generally doesn't lend itself to promoting innovative designs so much as responding to unique site constraints.

As proposed, the PUD ordinance sections apply to all residential zoning districts (i.e., R-1, RB, RM, RR, and RA). Although not stated as such in proposed Section 18.10.180, this section implies that PUDs are allowed in the special use (SU) zone district because SU implements all land use designations (including residential). Proposed section 18.10.185 is more explicit in this regard because it specifies the standards applicable to not only the residential districts, but also the SU district. See proposed text in exhibit C.

It can be expected that developers may pursue PUDs should the proposed amendment be certified, but it is unclear to what degree. Although the County staff report states that it is hoped that the PUD process will increase affordable housing stock (see Board resolution and staff report in exhibits A and B), the ordinance is not structured to provide affordable housing specifically. Rather, it is premised on providing "well-planned" mixed use developments. Arguably, such mixed use developments should (or could) include affordable housing. Since any individual PUD would have to be approved by the Board, it appears that direction for affordable housing in such projects will come from such decisions and not because it is specifically required by the proposed PUD sections.

An unintended potential consequence is related to the effect of the PUD ordinance on SU zoned properties. Whereas residentially-zoned properties are generally found within existing developed areas, SU-zoned properties are countywide, including a substantial number of SU-zoned parcels on the rural and agricultural north coast. The proposed ordinance text is particularly broad as it relates to standards for PUD development on SU-zoned land; generally leaving it to the Board of Supervisors discretion. It is unclear as to the number and type of developments that may be proposed under the PUD in rural areas of the County. It is expected that such development would be molded to LCP objectives by the Board, but the PUD sections don't provide clear direction to this effect.

In sum, the proposed PUD sections may result in an intensity of development that is above what the LCP



allows for specific properties, and there is great discretion on the Board's part in establishing the parameters of these projects. Each PUD would be implemented by an ordinance within the zoning code. Within the coastal zone, such ordinances would need to be certified by the Commission (since they would be LCP amendments), and thus the Commission would also have an opportunity to evaluate the consistency of any particular PUD ordinance against the LUP.

## B. Consistency Analysis

### 1. Standard of Review

The standard of review for the proposed modifications to the County's LUP is consistency with the Coastal Act. The standard of review for proposed modifications to the County's IP is that they must be consistent with and adequate to carry out the policies of the LUP. In general, Coastal Act policies set broad statewide direction that are generally refined by local government LUP policies giving local guidance as to the kinds, locations, and intensities of coastal development. IP (zoning) standards then typically further refine LUP policies to provide guidance on a parcel by parcel level. Because this is an IP (only) LCP amendment, the standard of review is the certified LCP LUP.

### 2. LUP Consistency Requirement

In order to approve an Implementation Plan amendment, it must be consistent with and adequate to carry out the Land Use Plan. The County's LUP protects coastal resources, particularly rural, open space and agricultural lands, and specifically visual resources. It also distinguishes between urban and rural development, and directs development to developed areas best able to accommodate it. Quality design, respective of the built and natural environment, is expected. Overall, these LUP requirements reflect and implement similar fundamental goals of the Coastal Act.

### 3. Consistency Analysis

The proposed PUD text includes a number of provisions that might result in inappropriate development inconsistent with the LUP if not modified. Fortunately, these portions of the proposed text are easily clarified so that implicit LUP requirements are made explicit, and so that the PUD text results in development consistent with the LUP overall. Individual issues (and changes that need to be made) are discussed more specifically below.<sup>2</sup>

#### Residential Zone Districts Only – Not Special Use

It is clear from the County's staff report and findings that the primary purpose of the proposed LCP text is to provide another tool that can be used to generate affordable housing units in the County. Santa Cruz County is one of the least affordable housing markets in the entire country, with median home prices now

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<sup>2</sup> Commission staff have worked closely with County staff on these identified issues, and appropriate changes to address concerns in this respect. Each of the modifications discussed in this finding have been discussed with County staff and Commission staff and County staff are generally in agreement.



at \$550,000, and the average home price at nearly \$650,000. The concept of the proposed LCP text is that some variation to residential standards (via the PUD) will allow for more units to be developed, and that some portion of these units will be affordable.

Toward this end, the ordinance specifies that it can be applied in any residential zoning district (see proposed section 18.10.180 on page 1 of exhibit C). At face value this seems appropriate. However, the County's LCP includes a Special Use (or "SU") zoning district that implements all land use designations, including residential. If the SU district were interpreted to be a residential zoning district because of this, it could result in PUDs being applied to the SU district. The proposed LCP text appears to make this interpretation inasmuch as proposed section 18.10.185 includes PUD standards that would be applied to the SU district (see proposed section 18.10.185 on page 4 of exhibit C). There are multiple problems with having PUDs applied to the SU district.

First, all uses allowed in all of the other County zone districts are allowed in SU; all of these allowed uses, except for a single family home on an existing lot of record and agricultural uses, are conditional uses. Therefore, when the proposed PUD text refers to a PUD allowing permitted or conditional uses in the zoning district (see 18.10.180), for SU that implies all uses in the County code could be incorporated into a PUD in SU. This is an overly broad set of uses to which the PUD could be applied.

Second, proposed section 18.10.185, specifying the standards that would be applied to PUDs, indicates that in SU districts, there wouldn't be any specific LCP development or density requirements (see exhibit C). Rather, in SU, the PUD standards would be those determined by the Planning Commission or the Board of Supervisors as consistent with the LUP at the time of approval. This is an extremely broad set of development standards that could encompass many different levels of intensity. It is difficult to assure that such standards would be adequate to protect coastal resources consistent with the LUP. The proposed qualifier that the standards that would be determined by the Board would be taken from the subset of "applicable" LUP policies adds some level of specificity, but this specificity is limited by the fact that the development standards as they apply to SU are subject to broad interpretation, particularly for non-residential uses.<sup>3</sup>

Third, many properties, some quite large in acreage, are zoned SU and are located in very rural areas of the County; particularly in the County's largely undeveloped and pastoral north coast planning area. It is not clear that development, let alone relaxed-standard PUD development, is appropriate on this full range

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<sup>3</sup> For residential uses in SU, development standards are those contained in Section 13.10.323 based on the size of the parcel. However, depending on which residential district standards are consulted, there are different standards that apply; SU district regulations do not specify which of the standards apply. For non-residential uses, one must search the LCP for the most restrictive zoning district in which the proposed use is allowed, and apply the standards from that district to the use. In the past, the County has interpreted this to mean the standards come from the district within which the use would ordinarily occur (e.g., for a commercial use proposed in SU, the most restrictive of the 3 commercial zoning district regulations would be applied). However, the SU district actually requires use of the most restrictive zoning district within which the use is allowed. This is to safeguard against the overly broad nature of the SU zoning district, the broad purpose of which is simply to allow for mixed use developments where appropriate, not implement the underlying land use designation per se. For example, visitor accommodations, though typically found in a commercial district, are allowed in the PR zone district. In the PR zone district the development standards are more restrictive for visitor accommodations than the standards applied in the commercial zone districts. It is these PR standards that are applied in such a case. Note that it is this latter interpretation that the Commission has applied when this SU question has arisen in past cases.



of SU properties. Such development may, in many cases, be directly contrary to the LUP's urban-rural boundary provisions.

Fourth, the LCP allows any property to be rezoned to SU without an LCP amendment.<sup>4</sup> As a result, if PUDs are allowed in the SU zone district, then the property universe to which the PUD process may apply is potentially much larger than that currently zoned SU because re-zonings to SU do not require an LCP amendment that would need to be certified by the Coastal Commission.

In sum, the SU district is already an overly broad zoning district within which PUD development with more relaxed standards would not be appropriate. Rather, the focus of the proposed text, and clearly the intent of the PUD ordinance, is to direct imaginative residential development into residentially zoned districts able to handle it (see the Board's resolution and staff report in exhibits A and B). The potential LCP pitfalls associated with allowing PUD in SU can be avoided by making this explicit in the proposed ordinance text. See suggested modifications, particularly pages 1 and 4 of exhibit D.

#### Not Residential Beach

Residential Beach District ("RB") properties are limited to the Beach Drive area of Santa Cruz County in Aptos-Rio del Mar. The pre-Coastal Act Beach Drive area and mostly built-out residential development is located at the base of the coastal bluff on an area that was historically beach. This area is not appropriate for PUD development with relaxed standards as it is prominently located at the base of the back beach bluffs and reduced standards are not appropriate in such a critical location. In tandem with making the PUD allowable in residential districts, a modification is suggested to remove the RB district from that list (and to explicitly identify the other four residential districts in the County). See suggested modifications, particularly page 1 of exhibit D. The County's proposed text appears to suggest a similar evaluation inasmuch as proposed section 18.10.185 only lists the other four residential districts, and not RB (see page 4 of exhibit C).

#### PUD Permits and Coastal Permits

It is implied by the proposed text that planned unit development permits are a type of development permit (i.e., the name that the LCP generally gives to permits that authorize land use and development). Likewise, it is implied that within the coastal zone, a coastal permit would also be required. However, because this is not explicitly identified, the proposed text could be read to imply that a planned unit development permit somehow supercedes other LCP permit requirements. This is not the case. This potential confusion can be rectified by explicitly defining such permits as development permits, and specifically identifying the coastal permit requirements. See suggested modifications, particularly pages 1 and 3 of exhibit D.

In addition, because PUDs also include changes to the zoning code to make them consistent with the code, and because such zoning code changes are LCP amendments for projects in the coastal zone (see also below), a coastal permit cannot be found consistent with the code until such an amendment has been certified by the Commission. In other words, the Board's combined action to approve an ordinance and a permit at the same time (and be effective at that time) can procedurally work for non-coastal zone PUDs,

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<sup>4</sup> LCP Section 13.10.170(d).



but there is a more complicated process in the coastal zone because the ordinance is not effective unless and until it has been certified by the Commission. Therefore, a process needs to be identified to ensure that any coastal permit actions are not final (and notice of them is not sent to the Commission where applicable appeal periods can start running) unless and until the companion ordinance is first certified into the LCP. In the event the Commission's certification changes the PUD, then the County will need to re-review the PUD to make it conform to the then certified LCP text. See suggested modifications, particularly page 3 of exhibit D.

#### PUD Ordinances as LCP Amendments

The proposed text indicates that actions to approve a PUD would be by ordinance adopted by the Board amending LCP Chapter 13.10 (see pages 3 and 4 of exhibit C). Because amendments to LCP chapter 13.10 are amendments to the LCP, such an ordinance must be submitted as an LCP amendment request to the Coastal Commission. Although this implies that such would be the case with implementing PUD ordinances, the fact that this additional LCP amendment step is not identified in the proposed text could be read to imply that these amendments to LCP Chapter 13.10 do not require an LCP amendment. Fortunately, this lack of clarity is easily rectified by explicitly identifying the fact that such changes to Chapter 13.10 require an LCP amendment. See suggested modifications, particularly page 3 of exhibit D.

#### PUD Does Not Suspend Other Applicable LCP Policies

The proposed PUD development standards specifically detail the site area development standards and densities and the ways in which they may be modified to allow for a PUD (see pages 4 and 5 of exhibit C). They do not, however, specify how other applicable development standards would affect PUD development (for example, other standards geared towards protecting agriculture, ESHA, open spaces, viewsheds, etc.). Although it may be implied that other applicable development standards still apply, the fact that the proposed text does not explicitly make this reference could be read to imply that they do not apply to PUDs. Such an interpretation could allow for development through a PUD that was inconsistent with the LUP's resource protective policies in this regard (for example, riparian setback requirements). Fortunately, this lack of clarity is easily rectified by explicitly identifying the fact that other LCP policies still apply, and these cannot be adjusted by PUD (unlike the specifically identified site development and density standards only that can be so adjusted). See suggested modifications, particularly page 5 of exhibit D.

#### Coastal Zone Findings

The LCP has a certain set of general findings that are required for all development in the County. The proposed LCP text requires that these findings be made for PUDs (see page 2 of exhibit C). The LCP also has required findings that must be made for development in the County's coastal zone.<sup>5</sup> The PUD does not explicitly identify these required coastal zone findings. Although it is implied that the coastal zone findings must still be made, the fact that they are not identified could be read to imply that they do not apply to PUDs. Fortunately, this lack of clarity is easily rectified by explicitly identifying the fact that the coastal zone findings must also be made for PUDs. See suggested modifications, particularly page 2 of exhibit D.

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<sup>5</sup> LCP Section 13.20.110.





### Planned Unit Development Standards

Proposed Section 18.10.185 details the way in which development and density standards would be allowed to be adjusted by a PUD (see pages 4 and 5 of exhibit C). It should be clear that the reason such standards are being allowed to be adjusted is because of the flexibility that it provides to develop exceptional projects from which some form of enhanced public benefit is generated in direct relation to any public burden (e.g., enhanced resource protection, exceptional public amenities, design excellence, affordable housing, viewshed preservation and enhancement, etc). This purpose can readily be stated in preamble text to the section, and by making this a required PUD finding (see suggested modifications, particularly pages 2 and 4 of exhibit D).

In addition, there is a lack of clarity regarding the district regulations and standards identified. The proposed text describes several standards that can be adjusted provided the standards in the aggregate be within the standards required in that zone district.<sup>6</sup> The clearest way in which to interpret this proposed text is that the standards for any particular issue area be aggregated, but not that all standards be aggregated; it is not even clear how all the standards could be aggregated since they deal with different physical units. However, the proposed text is not clear in this respect. A modification is suggested to clarify that it is the former interpretation that applies (see suggested modifications, particularly page 4 of exhibit D). This proposed text also requires the aggregated standards to be “at least equivalent” to the standards of the underlying zone district. An unintended consequence of this phrasing is to require the intensity of projects to be more, rather than less, intense; even should the project propose a lesser intensity of use.<sup>7</sup> To allow lesser intensity of use than the maximum intensity allowed, a modification is suggested to specify that this aggregate be within the standards specified, and thus can be below the maximum level of intensity (again, see page 4 of exhibit D).

Furthermore, the language proposed is unclear regarding densities. Modifications are proposed to clarify the language consistent with the intent of the PUD (see suggested modifications, particularly page 4 of exhibit D).

### PUD Ordinance Expiration

The proposed text is silent on expiration of PUDs and PUD ordinances. Presumably, the LCP’s permit expiration standards would be applied the associated permits; these standards generally specify that permits approvals are valid for 2 years and can be extended up to five times (for a year apiece) by an amendment to the permit (i.e., a total of 7 years). Seven years seems to be adequate time within which to pursue a PUD development, and it doesn’t appear necessary to modify these permit expiration requirements as they relate to PUD development. The PUD ordinance, however, that would be certified into the LCP, is a different story. Absent a sunset date, the ordinance would exist in the County code until it were subsequently removed or modified by a new action by the County and the Coastal Commission. It is inappropriate to leave such LCP text in the LCP without a re-review loop of some sort if the

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<sup>6</sup> The standards listed are for site area and dimensions, site coverage, yard spaces, heights of structure, distances between structures, off-street parking, off-street loading facilities, and landscaped area; see exhibit C.

<sup>7</sup> For example, if the heights of a PUD in the aggregate were 14 feet, but the standard specified by the zone district were 28 feet, it would not be “at least equivalent” to the standards. To do so would require greater height, and greater intensity of use.



corresponding development hasn't been accomplished or at least begun. This is akin to the review of changed circumstances that accompanies requests for extension of permit expiration inasmuch as the PUD ordinances provide for a very specific development at a very specific location.

To address this issue, and to protect against inappropriate development that could be pursued pursuant to a PUD ordinance for which permit approvals have expired, a modification is suggested to time the ordinance effectiveness to the same time that the associated permits are effective; potentially up to 7 years if the permit approvals are extended properly (see suggested modifications, specifically page 3 of exhibit D).

#### Reference to Zoning Ordinance

The proposed text refers in multiple cases to the "zoning ordinance." By definition, the zoning ordinance refers to Chapter 13.10 of the County Code.<sup>8</sup> Because Chapter 13.10 is only a subset of the County Code, and a subset of the Code sections that make up the LCP IP, it could be inferred that references to consistency with the zoning ordinance mean only Chapter 13.10. This would not be correct inasmuch as these references are meant to encompass other LCP sections that are not a part of Chapter 13.10 (for example, ESHA, and habitat protection policies). So as to avoid any question of interpretation when referring to such consistency, a modification is suggested to ensure that the County Code as a whole is referenced (see suggested modifications, particularly exhibit D throughout).

#### Clarifications/Other

In addition to those issues detailed above, there are instances where the language of the proposed text needs to be clarified, and typographic errors fixed, to ensure its clear implementation consistent with the LUP policies it implements. Suggested modifications to this effect are shown throughout the proposed text. See exhibit D (throughout).

#### Conclusion

The Commission must determine whether the zoning code changes proposed are consistent with and adequate to carry out the LUP. There are areas in the proposed IP text where there are inconsistencies and/or other issues that would affect the proposed text's ability to carry out LUP policies, and ultimately to ensure that coastal resources are protected as directed by the LUP. Fortunately, there are modifications that can be made to address the identified issues. These modifications have been discussed with the County and they are generally supportive of them.

In conclusion, if so modified in all of the ways outlined here according to the cited modification texts, then the IP as amended by the proposed amendment, and as further modified as suggested above and in the cited modification texts, is approved as being consistent with and adequate to carry out the certified LUP as amended.

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<sup>8</sup> Per LCP Section 13.10.110.



### C. California Environmental Quality Act (CEQA)

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The County in this case exempted the proposed amendment under CEQA. This staff report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate suggested modifications to avoid and/or lessen any potential for adverse impacts to said resources. All public comments received to date have been addressed in the findings above. All above Coastal Act findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives nor feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment, as modified, would have on the environment within the meaning of CEQA. Thus, if so modified, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

